

Rec'd PCT/PTO 30 JAN 2006

PATENT
ATTORNEY DOCKET NO.: 040894-7232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Hitoshi NAKAJIMA et al.)	Confirmation No.:
)	
Application No.: 10/534,722)	Group Art Unit:
)	
Filed: May 12, 2005)	Examiner:
)	
For: CATALYST FOR FUEL CELL AND)	
ELECTRODE USING THE SAME)	

U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in an International Search Report dated March 2, 2004. A copy of the International Search Report is enclosed for the Examiner's consideration.

Copies of the non-U.S. patent documents are enclosed. A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the respectively attached English-language abstract and the figures respectively therein. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 30, 2006

By:



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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 PAGE 1 of 1				Attorney Docket No. 040894-7232		Application No. : 10/534,722	
				Applicants: Hitoshi NAKAJIMA et al.			
				Filing Date: May 12, 2005		Group Art Unit:	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO
		JP 2002-134122	May 10, 2002	Japan			Abstract
		JP 61-289051	Dec. 19, 1986	Japan			Abstract
		JP 1-190647	Jul. 13, 1989	Japan			Abstract
		JP 4-305249	Oct. 28, 1992	Japan			Abstract
		JP 5-182671	Jul. 23, 1993	Japan			Abstract
		JP 61-192345	Aug. 26, 1986	Japan			Abstract
		JP 2002-329500	Nov. 15, 2002	Japan			Abstract
		EP 0 926 126 A1	June 30, 1999	Europe			Abstract
		EP 0 936 210 A1	Aug. 18, 1999	Europe			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Examiner				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							